

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JAMES WHITTENBERG,

11 Plaintiff,

No. CIV S-04-2313 FCD JFM P

12 vs.

13 LT. L. ROLL,

14 Defendant.

ORDER

15 _____/
16 On April 14, 2005, plaintiff filed a request for reconsideration of the magistrate
17 judge's order filed March 29, 2005, denying request for appointment of counsel. Pursuant to
18 E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous
19 or contrary to law." Upon review of the entire file, the court finds that it does not appear that the
20 magistrate judge's ruling was clearly erroneous or contrary to law.

21 Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the
22 magistrate judge filed March 29, 2005, is affirmed.

23 DATED: April 21, 2005.

24
25 /s/ Frank C. Damrell Jr.
26 FRANK C. DAMRELL JR.
United States District Judge